

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EARL R. HOBBS, individually and on)	
behalf of all others similarly situated,)	
)	
Plaintiff,)	No. 07 C 6730
)	
vs.)	Judge Bucklo
)	
TCF BANK,)	
)	
Defendant.)	

**DEFENDANT TCF NATIONAL BANK'S UNCONTESTED MOTION FOR
ENLARGEMENT OF TIME TO FILE ANSWER OR OTHERWISE PLEAD TO
PLAINTIFF'S COMPLAINT**

Defendant TCF National Bank (incorrectly named as TCF Bank) (hereinafter, "TCF"), by and through its undersigned counsel, respectfully moves for a 14-day enlargement of time to file its answer or otherwise plead to Plaintiff's Complaint. In support thereof, TCF states as follows:

1. Plaintiff filed a Class Action Complaint ("Complaint") against TCF on November 30, 2007, which was served upon TCF's registered agent on January 3, 2008. The Complaint alleges claims under the Electronic Funds Transfer Act, 15 U.S.C. § 1693, *et seq.*, and the Expedited Funds Availability Act, 12 U.S.C. § 4001, *et seq.*, based on TCF's purported failure to maintain certain sticker notices on an ATM machine from which Plaintiff withdrew funds.

2. At present, TCF is required to file its answer or plead to the Complaint by January 23, 2008. TCF is currently in the process of investigating the allegations in the Complaint and has begun gathering the materials necessary to prepare its response thereto.

However, TCF requires an additional 14 days in order to complete its investigation and review of the materials, and to prepare its response.

3. Counsel for TCF has discussed the extension requested herein with counsel for Plaintiff, who informed that he would not object to permitting additional time for TCF to respond to the Complaint.

WHEREFORE, for the foregoing reasons, Defendant TCF National Bank respectfully requests an extension of 14 days to file its answer or otherwise plead to Plaintiff's Complaint, to February 6, 2008.

Dated: January 17, 2008

Respectfully submitted,

TCF NATIONAL BANK

By /s/ David R. Lidow
One of Its Attorneys

Fredric R. Klein
Steven A. Levy
David R. Lidow
GOLDBERG KOHN BELL BLACK
ROSENBLOOM & MORITZ, LTD.
55 East Monroe Street
Suite 3300
Chicago, Illinois 60603
(312) 201-4000